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## TERMINATION OF PARENTAL RIGHTS

ST. CROIX COUNTY  
PROBATE OFFICE  
1101 CARMICHAEL RD  
HUDSON WI 54016

HOURS:  
MONDAY – FRIDAY  
8:00 AM – 5:00 PM

PHONE: 715-386-4618 or 715-386-4619

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### NOTE:

- This information is provided as a public service to persons involved in a Termination of Parental Rights (TPR) proceeding and is **NOT** intended to be legal advice. Persons having questions should contact an attorney; probate office staff **cannot** give legal advice.
- All forms listed on this guideline are available online, except the service forms (Certificate of Service, Affidavit of Service, and Proof of Publication).
- If the child is subject to the Indian Child Welfare Act (ICWA), please refer to a separate guideline specific for that situation.
- Please read the forms carefully and fill them out completely.

### **STEP ONE: FILE THE FOLLOWING DOCUMENTS TO START A TPR PROCEEDING:**

- ☐ Summons (Termination of Parental Rights) JC-1633
  - ☐ Petition for Termination of Parental Rights JC-1630
  - ☐ Order Appointing Guardian ad Litem (see below) GF-131
  - ☐ Uniform Child Custody Jurisdiction Act Affidavit GF-150
  - ☐ Court Report for Centralized Birth Record CFS-134
  - ☐ Family History Questionnaire – completed by the petitioner DCF-F-CFS0149
  - ☐ Family History Questionnaire Pregnancy & Delivery Information DCF-F-CFS0149A
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- **FORMS:** the above forms listed as “JC” and “GF” can be found at: [www.wicourts.gov](http://www.wicourts.gov), forms, circuit court, juvenile forms.
  - **Medical/genetic questionnaire forms:** additional/duplicate Family History Questionnaires can be requested from the Register in Probate office.

Guardian ad Litem appointment: A Guardian ad Litem (GAL) is required, by statute, to be appointed in this proceeding.

- It is the petitioner's responsibility to retain and pay for a guardian ad litem for the child. A guardian ad litem is an attorney licensed in the State of Wisconsin.
- The Guardian ad Litem is not your attorney. If you have legal questions, contact an attorney.

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- A Petition for Appointment of Guardian ad Litem, Affidavit of Indigency and Order form can be requested from the Register in Probate office. Complete this form if you feel you cannot afford the guardian ad litem fees.
  - NOTE: if the Affidavit of Indigency form is filed; a court date will NOT be set until the Court grants or denies the Petition.
- When the above documents are filed with the court, a hearing date will be set. Copies of the Summons and Petition for TPR will be provided to the petitioner for service on the terminating parent.

### **STEP TWO: SERVICE OF DOCUMENTS:**

1. It is the petitioner's responsibility to personally serve the terminating parent with the Summons, Petition for TPR, and a Family History Questionnaire at least 7 days prior to the hearing date.
2. If the address of the terminating parent(s) is not known, Notice must be published in a newspaper: Notice and Order of Hearing (for publication), form JC-1635, and Consent to Use Mother's Name for Publication, form JC-1634, must be completed and filed with the court.

### **STEP THREE: FILE PRIOR TO THE COURT HEARING:**

- ☐ Certificate/Affidavit of Personal Service or the Proof of Publication.
- ☐ Order Concerning Termination of Parental Rights (Involuntary; JC-1639) or (Voluntary, JC-1638)
- ☐ Family History Questionnaires of *both* parents (if not previously filed).

### **NOTES:**

- Order for TPR must be filled in completely prior to the hearing.
- Complete the medical/genetic questionnaires as thoroughly as possible. Add any additional information you feel is important that is not requested. {48.432, 48.425(1)(am), 48.02(12m)}
- Contact an attorney if you have questions.
- Probate office staff **cannot** give legal advice.